HOUSE BILL 350

53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017

INTRODUCED BY

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AN ACT

RELATING TO SCHOOL PERSONNEL; ENACTING THE TEACHER AND PRINCIPAL EFFECTIVENESS ACT; REQUIRING EFFECTIVENESS EVALUATIONS FOR TEACHERS AND SCHOOL PRINCIPALS; OUTLINING CRITERIA FOR THOSE EVALUATIONS; REQUIRING POST-EVALUATION ACTIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of the Public School Code is enacted to read:

"[NEW MATERIAL] SHORT TITLE.--This act may be cited as the "Teacher and Principal Effectiveness Act"."

SECTION 2. A new section of the Public School Code is enacted to read:

"[NEW MATERIAL] DEFINITIONS.--As used in the Teacher and Principal Effectiveness Act:

.206647.1
A. "evaluator" means a person who holds a level three-B administrator's license;

B. "observer" means a teacher who holds a level two or three-A license or a person who holds a level three-B administrator's license and who is certified by the department to conduct evaluations for the purpose of carrying out the Teacher and Principal Effectiveness Act;

C. "principal" includes an assistant principal and a head administrator of a charter school; and

D. "school district" includes a charter school."

SECTION 3. A new section of the Public School Code is enacted to read:

"[NEW MATERIAL] TEACHER AND PRINCIPAL EFFECTIVENESS--REQUIREMENT FOR ANNUAL EVALUATION.--

A. Every teacher and school principal shall submit to an annual evaluation of the teacher's or principal's professional performance as provided in the Teacher and Principal Effectiveness Act.

B. Each year, an evaluator shall participate in an annual training program for conducting evaluations of teachers or school principals."

SECTION 4. A new section of the Public School Code is enacted to read:

"[NEW MATERIAL] TEACHER EFFECTIVENESS--EVALUATION FRAMEWORK.--

.206647.1
A. The evaluation of professional performance for teachers shall consist of:

(1) measures of student academic growth and achievement that validly and reliably correspond to teaching effectiveness, including:

(a) student academic improvement, as measured over a period of multiple years; and

(b) teachers' contributions to that improvement;

(2) measures based on multiple sources of information that evince teacher effectiveness, including:

(a) student and parent surveys;

(b) work attendance; and

(c) professionalism and professional development; and

(3) frequent in-classroom observations by observers, including one formal observation conducted by an observer in accordance with Subsection C of Section 22-10A-19 NMSA 1978, each of which is based on department-approved standard procedures and which forms the basis for recommendations for performance improvement.

B. A teacher's evaluation shall be based on the components listed in Subsection A of this section in the following proportions:

(1) student academic growth and achievement
shall constitute forty percent;
(2) in-classroom observations shall constitute thirty-five percent;
(3) professionalism and professional development shall constitute fifteen percent;
(4) student and parent surveys shall constitute five percent; and
(5) work attendance shall constitute five percent."

SECTION 5. A new section of the Public School Code is enacted to read:

"[NEW MATERIAL] TEACHER EFFECTIVENESS--EVALUATION RESULT.--Based on the results of the teacher's professional performance evaluation, a teacher shall be rated as:

A. exemplary, meets competency;
B. highly effective, meets competency;
C. effective, meets competency;
D. minimally effective, does not meet competency;

or

E. ineffective, does not meet competency."

SECTION 6. A new section of the Public School Code is enacted to read:

"[NEW MATERIAL] EVALUATION--WRITTEN REPORT--POST-EVALUATION CONFERENCE--NOTIFICATION--CORRECTIVE ACTION--PEER ASSISTANCE PROGRAM.--"
A. An evaluator shall not change the result of any component of a professional performance evaluation once that result has been determined. Once an evaluation is complete, the evaluator shall submit a written report on the evaluation to the teacher or principal and to the head of the school district.

B. If a teacher is rated in the report as minimally effective or ineffective, the report shall outline the reasons for the rating. A teacher rated in an evaluation report as minimally effective or ineffective may submit a written response to the report, which shall become a permanent attachment in the teacher's personnel file.

C. For a teacher rated in an evaluation report as minimally effective or ineffective:
   (1) the evaluator who conducted the evaluation shall conduct a post-evaluation conference with the teacher in which the evaluator makes recommendations for improving in areas of unsatisfactory performance and, otherwise, for professional growth. The recommendations shall form the basis for an individual professional growth plan for the teacher;
   (2) the evaluator shall provide intervention and assistance to implement that plan; and
   (3) the principal or other supervisor shall use the results of the evaluation to develop a plan of strategic support for the teacher.
D. A school district may establish a peer assistance program to improve instruction and learning and to assist teachers whose ratings are minimally effective and ineffective and teachers who otherwise wish to participate in the program."

SECTION 7. A new section of the Public School Code is enacted to read:

"[NEW MATERIAL] PRINCIPAL EFFECTIVENESS--EVALUATION FRAMEWORK.--

A. The evaluation framework for school principals shall consist of:

  (1) valid and reliable measures of the school's student academic growth and achievement, including that growth as measured by the department in accordance with the A-B-C-D-F Schools Rating Act;

  (2) a measure of instructional leadership skill;

  (3) teacher, other school staff and parent surveys;

  (4) a measure of the principal's:

      (a) effectiveness in implementing, to the extent appropriate, the Teacher and Principal Effectiveness Act; and

      (b) the principal's skill in supporting teachers whose performance, as determined by the evaluations
conducted in accordance with that act, needs improvement; and

(5) the results of the highly objective
uniform statewide standard of evaluation conducted in
accordance with Subsection D of Section 22-10A-11.4 NMSA 1978
and related rules.

B. The evaluation component provided for by
Paragraph (1) of Subsection A of this section shall constitute
forty percent of a school principal's evaluation."

SECTION 8. A new section of the Public School Code is
enacted to read:

"[NEW MATERIAL] PRINCIPAL EFFECTIVENESS--EVALUATION
RESULT.--Based on the results of the principal's professional
performance evaluation, a principal shall be rated as:

A. exemplary, meets competency;
B. highly effective, meets competency;
C. effective, meets competency;
D. minimally effective, does not meet competency;
or
E. ineffective, does not meet competency."

SECTION 9. A new section of the Public School Code is
enacted to read:

"[NEW MATERIAL] RULEMAKING.--The secretary shall
promulgate rules necessary to implement the provisions of the
Teacher and Principal Effectiveness Act."

SECTION 10. APPLICABILITY.--The Teacher and Principal
Effectiveness Act applies to school years beginning with the 2017-2018 school year.

- 8 -